



**REGULAR MEETING  
MINUTES OF ACTIONS  
Wednesday, October 26, 2011  
Art Pick Council Chambers  
3900 Main Street, Riverside, CA**

**CASE REVIEW – 4:00 PM**

**Case Review Roll Call**

Rotker		Johnson	Brandriff		Jackson	Roberts	Santore	Adams
✓		✓	✓		S	✓	✓	✓

✓ = Present    **B** = Absent / Business    **S** = Absent / Sick    **V** = Absent / Vacation    **O** = Absent / Other  
**UE** = Absent / Unexcused    **L** = Late    **LE** = Left Early    **■** = Vacant

**STAFF:** Frank Hauptmann, CPRC Manager; Phoebe Sherron, Sr. Office Specialist

**Public Comment**

Ms. Oneyda Jiron spoke to the Commission regarding her case.

Mr. Rene Medina spoke to the Commission regarding his case.

**Closed Session – Case Reviews**

Pursuant to Government Code Section 54957, the Commission adjourned to Closed Session at 4:05 PM to discuss issues pertaining to PUBLIC EMPLOYEE PERSONNEL MATTERS.

	CPRC CASE NO.	RPD CASE NO.
1)	10-052	PC-10-12072
2)	11-023	PC-11-05028
3)	11-024	PC-11-05029
4)	11-025	PC-11-05031
5)	11-036	PC-11-07038

The Commission recessed at 5:30 PM to reconvene in the Regular Meeting.

## **REGULAR MEETING – 5:30 PM**

### **PLEDGE OF ALLEGIANCE**

#### **Regular Meeting Roll Call**

Rotker		Johnson	Brandriff		Jackson	Roberts	Santore	Adams
✓		✓	✓		S	✓	✓	✓

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**STAFF:** Frank Hauptmann, CPRC Manager; Phoebe Sherron, Sr. Office Specialist

#### **Public Comments**

Mary Shelton spoke about ad-hoc committee meetings and that the Commission is not legally obligated to agendaize these meetings. She noted that it is problematic to have a transparent commission that has committee meetings in secret.

#### **Approval of Minutes**

Minutes for Approval	Motion	Second	Approve	Oppose	Abstain
A) September Regular Meeting	Rotker	Roberts	<b>Unanimous</b>	0	0

#### **Outreach**

##### A) October Outreach

##### Commissioner Adams

- Riverside Coalition for Police Accountability (RCPA) meeting with Commissioner Jackson
- Presentation at Magnolia Area Neighborhood Association (MANA) meeting

##### Commissioner Johnson

- Mayor's Night Out after September CPRC meeting
- Citizens' Police Academy
- Old Iron Car Show
- The Group meeting; gave presentation regarding CPRC outreach
- Staffed CPRC table at 7<sup>th</sup> Annual Community Health Fair at Bryant Park; noted that CPRC table needs promotional items, especially for kids
- RUSD Candidates Forum at Bordwell Park

##### Vice-Chair Roberts

- Staffed CPRC booth at 7<sup>th</sup> Annual Community Health Fair at Bryant Park

Chairman Santore

- Arlanza Community Health Center
- VFW Post 12021
- American Legion Post 286
- 1-on-1: why officers have people sit on curbs with their legs crossed
- 1-on-1: why officers sometimes use cell phones as opposed to their department-issued radios

Commissioner Brandriff asked Mr. Hauptmann if the Commission needed to vote on purchasing promotional items. Mr. Hauptmann said he would take care of purchasing promotional items.

B) Scheduled Outreach Events

Mr. Hauptmann said he would be making a presentation at Dr. Oliver Thompson's Community Relations class on Monday, October 31 at 6 PM. He said the location information would be sent to commissioners in case any were also interested in attending.

C) Future Outreach Opportunities

- 1) Input from Commission Members on potential outreach events
- 2) Input from Outreach Committee Chair on upcoming outreach events

Commissioner Johnson advised of several events taking place in November:

- Cesar Chavez Golf Tournament, Canyon Crest Country Club – Nov. 7
- Lawn Bowling Tournament, Fairmount Park – Nov. 5
- Healthy Minds / Healthy Bodies Community Fair, Mira Loma – Nov. 1
- Mission Inn Run – Nov. 13

D) Discussion and action, if any, on the addition of area Job / Career fairs to CPRC online calendar

Commissioner Johnson, CPRC's Outreach Coordinator, suggested adding job and career fair information to the Commission's outreach calendar. He feels that it would not only be a resource for community members, but a way to introduce them to the Commission by bringing them to the CPRC website.

The Commission discussed the suggestion. While all believe it is a very noble gesture, the general consensus was that the CPRC online calendar isn't the place for listing jobs or career fairs.

E) Discussion and action, if any, on having business cards for Spanish speakers

Chairman Santore had asked for discussion on having a short description, in Spanish, of the Commission's duties on the back of CPRC business cards.

After a brief discussion, the general consensus of the Commission was that the basic information given on the front of the business cards was sufficient for Spanish speakers. Chairman Santore withdrew his suggestion.

Mary Shelton said she is glad to hear discussion on outreach, but doesn't understand why there is an issue with putting Spanish on the back of CPRC business cards. She said more languages should be included and that more should be done to accommodate Riverside's deaf community. She said the Commission should be inclusive rather than cutting off the community if there is a language barrier.

Mr. Hauptmann said that he and Ms. Sherron had discussed getting the CPRC brochure done in Spanish and that he would work on getting that done.

## OLD BUSINESS

### Officer-Involved Death (OID) Evaluation Process

A) Continued discussion and action, if any, on the Acevedo OID evaluation.

Commissioner Rotker moved to accept the rationale.

Commissioner Adams said she would accept the rationale with a few modifications. She said that the third and fourth paragraphs on Pg. 1 don't speak to the officers' actions. She also noted that comments in the last paragraph on Pg. 2, regarding Taser cycles, speak to Acevedo's death, but not to the officers' actions. She expressed concern that the rationale was going beyond the officers' actions.

Commissioner Rotker disagreed, saying that the rationale is accurate and well-written and that it needs to comment on the cause of Acevedo's death.

Chairman Santore said everything needs to be noted in order to give foundation to the Commission's finding.

Commissioner Adams questioned use of information obtained from Wikipedia and WebMD. Mr. Hauptmann said he wrote the rationale based on commissioner rationales. He also noted that because this OID was not the result of a shooting, there should be an assessment as to how Mr. Acevedo died. He said that the Commission isn't providing or making a medical conclusion, but that the rationale can be modified if desired. He also noted that the information included in the rationale was what helped commissioners make their decision.

Commissioner Johnson agreed with Mr. Hauptmann that the Commission must present information to show why it came to the conclusion of its finding.

Commissioner Brandriff agreed with Commissioner Adams. He said the Commission should not be providing medical conclusions. He said the Commission had talked about Excited Delirium, but it wasn't included in the rationale. He said the Commission should provide factual information, but not medical conclusions.

Commissioner Rotker said that the rationale doesn't make medical conclusions, but comments on what certain drugs do to a person's body. He said the Commission isn't taking credit for the medical information being presented. Mr. Hauptmann also noted that he included the information on the effects of the drugs because the commissioner who submitted the information provided the source.

Vice-Chair Roberts agreed with Commissioners Adams and Brandriff. She said that the word "exacerbate" draws a conclusion. Mr. Hauptmann noted that, along with the drugs in his system, Mr. Acevedo died because of a pre-existing condition.

Motion for Approval	Motion	Second	Approve	Oppose	Abstain
Approve the rationale for the Acevedo OID with the following modifications: <ul style="list-style-type: none"><li>remove the last three sentences of the third paragraph on Pg. 1</li><li>remove the third sentence of the last paragraph on Pg. 3</li></ul>	Roberts	Adams	Brandriff Roberts Adams	Rotker Johnson Santore	0

Vice-Chair Roberts suggested changing "exacerbate" to "contributed" in the third sentence of the last paragraph on Pg. 3.

Commissioner Johnson said the Commission needs to either state a case for Excited Delirium or explain why Mr. Acevedo was excited or delirious, which would be the symptoms of someone taking these various drugs. He said this explanation shouldn't be removed and doesn't know why it would be extracted.

Commissioner Rotker agreed. He said the footnote shows that the conclusion isn't the Commission's but comes from a medical source.

Commissioner Brandriff said the Commission was making a medical conclusion that coroner didn't even make and that they shouldn't engage in making medical conclusions as these symptoms could also come from other causes.

Chairman Santore tabled discussion for the next meeting. He also asked Mr. Hauptmann to reword the paragraphs in question. Mr. Hauptmann said he would, but also noted that the Coroner's Report said death was caused by an overdose.

Commissioner Adams asked if the Coroner's report said atropine was at toxic levels. Mr. Hauptmann said he would review the Coroner's report and draft a couple new versions for review and discussion at the next meeting.

B) Discussion and action, if any, of the Hyatt OID.

Motion for Approval	Motion	Second	Approve	Oppose	Abstain
Approve the rationale for the Hyatt OID	Rotker	Adams	Rotker Johnson Brandriff Roberts Santore Adams	0	0

Mr. Hauptmann said he would insert the rationale into the public report draft and have it agendized for approval at the next meeting.

**OID Evaluation Process**

Discussion and action, if any, on the modified version of the OID Evaluation Process.

Commissioner Rotker asked Mr. Hauptmann to include staff duties in his original revision. He also asked that the handling of minority reports be included.

Vice-Chair Roberts asked that other modifications made in recently submitted suggestions be included in the version requested by Commissioner Rotker.

## **NEW BUSINESS**

### **CPRC Ad-hoc Committees**

No updates at this time from the Chairs of the following Ad-hoc Committees:

- A) Annual Report
- B) Policies, Procedures, & By-Laws

Mr. Hauptmann advised that this item was placed on the agenda so that the public knows this is still a work in progress.

### **Staff Report**

- A) CPRC Budget
- B) Scheduling of Joe Brann

Mr. Hauptmann

- reported on the state of the Commission's budget
- said he would contact Mr. Joe Brann about attending the Commission meeting on November 9
- advised that the 2012 CPRC Meeting Schedule is now online

### **Commission Member Comments**

Pursuant to Government Code Section 54954.2, Commission members may use this time to make brief announcements or a brief report on their own activities.

Commissioner Adams asked if commissioners should also consider 2<sup>nd</sup> Wednesdays as meeting days. Mr. Hauptmann said they should because 2<sup>nd</sup> Wednesday meetings are held to handle case overflow, training, and OID evaluations.

### **Items for Future Commission Consideration**

There were no items for future Commission consideration.

### **Adjournment**

The Commission adjourned at 7:05 PM.

Respectfully submitted,



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PHOEBE SHERRON  
Sr. Office Specialist